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PATENT

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Attorney Docket No.: 101961-01-5083-US01
Client Ref. No.: 7991.204-US
(NEO00265US2)

Dated: November 4, 2009
Signed: Jennifer C. Black

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

DeFrees et al.

Application No.: 10/530,972

Filed: December 05, 2005

For: Erythropoietin: Remodeling and
Glycoconjugation of Erythropoietin

Customer No.: 43850

Confirmation Number: 2406

Examiner: HEARD, Thomas S.

Art Unit: 1654

LETTER TO EXAMINER AND STATEMENT OF
RELATEDNESS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In view of *Dayco Products Inc. v. Total Containment Inc.*, 66 USPQ2d 1801 (Fed. Cir. 2003) and *McKesson Information Solutions Inc. v. Bridge Medical Inc.*, 82 USPQ2d 1865 (Fed. Cir. 2007) and in satisfaction of the duty of disclosure under 37 C.F.R. § 1.56, and as required by M.P.E.P. § 2001.06(b), Applicants note that the present application is related to the following patent applications:

08/102,385; 08/215,727; 08/312,387; 08/446,875; 08/447,435; 08/447,783;
08/478,140; 08/683,426; 08/683,458; 08/745,840; 08/878,360; 09/333,412; 09/338,943;
09/855,320; 10/007,267; 10/096,129; 10/109,498; 10/198,806; 10/219,197; 10/287,994;
10/360,770; 10/360,779; 10/391,035; 10/410,897; 10/410,913; 10/410,930; 10/410,945;
10/410,962; 10/410,980; 10/410,997; 10/411,012; 10/411,037; 10/411,043; 10/411,049;
10/485,892; 10/492,261; 10/497,283; 10/549,520; 10/552,896; 10/609,701; 10/654,528;
10/997,405; 11/033,365; 11/102,497; 11/166,028; 11/183,205; 11/183,218; 11/339,752;

Appl. No. 10/530,972

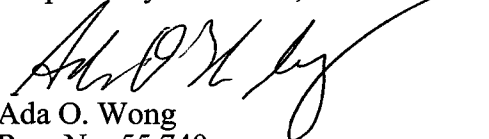
11/404,266; 11/659,153; 11/664,199; 11/845,175; 11/917,772; 12/060,383; 12/066,619;
12/302,167; 12/371,156; and 12/439,221.

Further in view of *Larson Mfg. Co. v. Aluminart Products Ltd.* No. 2008-1096, -
1174 (Fed. Cir. March 18, 2009), courtesy copies of the Office Actions received by applicants
and/or their representatives as of the date of submission of this document in the abovementioned
copending applications and other related applications are attached unless previously submitted.

However, the Examiner is encouraged to review the art made of record, any
Office Action, and any Notice of Allowance in the above-mentioned related application.
Applicants assume that due to the ease of review on PAIR by the Examiner, Applicant need not
submit copies of the individual Office Actions and/or Notices of Allowance. With respect to any
copending applications listed above, Applicants assume that the Examiner is aware that
prosecution is ongoing in said cases, and that the Examiner will continue to evaluate these cases
as needed.

Applicant believes that no fee is required for submission of this statement.
However, if a fee is required, the Commissioner is authorized to deduct such fee from the
undersigned's Deposit Account No. 50-0310. Please deduct any additional fees from, or credit
any overpayment to, the above-noted Deposit Account.

Respectfully submitted,


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